ASSEMBLY BILL   No. 955

Introduced by Assembly Member Williams

February 22, 2013

An act to add *and repeal* Article 2.3 (commencing with Section 78230) ~~to~~ *of* Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 955, as amended, Williams. Community colleges: intersession extension programs.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Under existing law, community college districts are established throughout the state and authorized to maintain campuses and provide instruction to students.

This bill would, *until January 1, 2020,* authorize the governing board of a community college district, meeting specified requirements, to establish and maintain, without the approval of the Board of Governors of the California Community Colleges, an extension program meeting specified characteristics during summer and winter intersessions. The bill would prohibit the governing board of a community college district to expend moneys from the General Fund to establish and maintain the extension program. The bill would require a community college district

maintaining the extension program to make every effort to encourage broad participation in the program and support access for students eligible for Board of Governors fee waivers. The bill would require a community college district that establishes and maintains the extension program to collect and keep specified records related to the program and to submit, by October 1 of each year, to the Office of the Chancellor of the California Community Colleges information contained in those records. The bill would require the chancellor, by November 1 of each year, to submit to the Legislative Analyst's Office the information submitted by the community college districts. The bill would require the Legislative Analyst, by January 1, 2017, to submit to the Legislature a written report that includes a summary of the information provided, an assessment of the operation of the extension programs, and suggestions for improvements.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) California's economy increasingly demands highly educated
4 workers, yet the supply of college graduates will not keep up with
5 demand. In 2010, President Obama recognized this crisis by calling
6 on the nation's community colleges to produce an additional five
7 million graduates by 2020.
8 (b) The Public Policy Institute of California has warned that by
9 2025, California will need an additional one million workers with
10 a baccalaureate degree to meet the state's workforce needs.
11 (c) The United States Bureau of Labor Statistics projects that
12 occupations that require an ~~associated~~ *associate* degree will grow
13 by 19 percent through 2018, and persons with two-year degrees
14 are 30 percent more likely to be employed and earn higher wages
15 than those with only high school diplomas.
16 (d) The California Community Colleges are uniquely positioned
17 to provide a higher education for millions of Californians and are
18 critical to the state's ability to meet its workforce needs.
19 (e) The California Community Colleges are experiencing record
20 demand for access to classes and programs that provide students
21 with the skills and education they need to enter the workforce and

1 prepare for the jobs of the future. However, funding for the
2 California Community Colleges has been cut by more than $800
3 million since 2008, affecting student access and completion.
4   (f) According to the Public Policy Institute of California, these
5 budget cuts have resulted in almost 100,000 fewer course offerings,
6 the loss of access for 600,000 students, course waiting lists for
7 500,000 students, and the reduction of summer intersession course
8 offerings, which may slow the completion rates for some students,
9 as well as reduce the earnings for some faculty and staff.
10   (g) The lack of community college course offerings has led
11 many students to enroll in for-profit institutions, which are more
12 expensive than community colleges.
13   (h) The lack of courses during summer intersessions has had a
14 serious impact on veterans who must be enrolled in courses to
15 access housing benefits to which they are entitled through the
16 Post-9/11 Veterans Educational Assistance Act of 2008 (Public
17 Law 110-252), otherwise known as Post-9/11 GI Bill.
18   (i) Reduced access to summer intersessions also affects students
19 who wish to make progress toward their goals during the summer,
20 particularly those students who need only a course or two to
21 complete their goals but have been crowded out of those courses
22 during the regular academic session.
23   (j) Extension of programs in summer and winter intersessions
24 will give students an opportunity to take the courses they are not
25 able to enroll in during the state-supported regular session to
26 accelerate the completion of their goals, whether transfer, degree,
27 or certificate.
28   (k) By providing additional opportunities for students to
29 complete high-demand courses, spaces should be freed up in the
30 state-supported courses offered during the regular session,
31 increasing all students' ability to complete their education in a
32 timely manner.
33   (*l*) Participating community college districts should make every
34 effort to ensure the ability of low-income students to enroll in
35 extension courses by facilitating their participation in financial aid
36 programs and accessing the American Opportunity Tax Credit,
37 which refunds up to $2,500 in educational costs for eligible
38 students.

1   (m) Extension programs should be subject to community college
2 district collective bargaining agreements, as well as all state laws
3 and regulations governing courses offered for credit.
4   (n) To meet the needs of Californians and California's economy,
5 we should recognize that the California Community Colleges are
6 uniquely able to offer high-quality programs at the lowest cost
7 possible to all Californians, and that the California Community
8 Colleges should be given the flexibility to meet California's
9 educational needs in the face of significant budget reductions.
10   SEC. 2. Article 2.3 (commencing with Section 78230) is added
11 to Chapter 2 of Part 48 of Division 7 of Title 3 of the Education
12 Code, to read:
13
14   Article 2.3. Intersession Extension Programs
15
16   78230. (a) The governing board of a community college district
17 may, without the approval of the Board of Governors of the
18 California Community Colleges, establish and maintain an
19 extension program offering credit courses during summer and
20 winter intersessions.
21   (b) An extension program established pursuant to this section
22 shall have all of following characteristics:
23   (1) The program shall be self-supporting and all costs associated
24 with the program shall be recovered.
25   (2) Program enrollment shall be open to the public.
26   (3) The program shall be developed in conformance with this
27 code and Division 6 (commencing with Section 50001) of Title 5
28 of the California Code of Regulations related to community college
29 credit courses.
30   (4) The program shall be subject to community college district
31 collective bargaining agreements.
32   (5) The program shall apply to all courses leading to certificates,
33 degrees, or transfer preparation.
34   (c) A community college district offering extension courses
35 under a program established and maintained under this section
36 shall have served a number of students equal to, or beyond, its
37 funding limit for the two immediately prior academic years, as
38 provided in the annual Budget Act and as reported by the Office
39 of the Chancellor of the California Community Colleges.

1   (d) The governing board of a community college district shall
2 not expend General Fund moneys to establish and maintain the
3 extension program.
4   (e) An extension credit course shall not supplant any course
5 funded with state apportionments. A community college district
6 shall not reduce a state-funded course section needed by students
7 to achieve basic skills, workforce training, or transfer goals, with
8 the intent of reestablishing those course sections as part of the
9 extension program. The governing board of a community college
10 district shall annually certify compliance with this subdivision by
11 board action taken at a regular session of the board.
12   (f) A degree credit course offered as an extension course shall
13 meet all of the requirements of subdivision (a) of Section 55002
14 of Title 5 of the California Code of Regulations, as it exists on
15 January 1, 2013.
16   (g) The governing board of a community college district may
17 charge students enrolled in an extension course a fee that covers
18 the actual cost of the course and that is based upon the district's
19 nonresident fee rate for the year the course is offered. For purposes
20 of this subdivision, "actual cost" includes the actual cost of
21 instruction, necessary equipment and supplies, student services
22 and institutional support, and other costs of the community college
23 district used in calculating the costs of education for nonresident
24 students.
25   (h) In order to assist in providing access to extension courses
26 for students eligible for the Board of Governors fee waiver,
27 one-third of the revenue collected pursuant to subdivision (g) shall
28 be used by the district to provide financial assistance to these
29 students.
30   (i) A community college district maintaining an extension
31 program under this section shall make every effort to encourage
32 broad participation in the program and support access for students
33 eligible for Board of Governors fee waivers, including, but not
34 limited to, providing students with information about financial aid
35 programs, the American Opportunity Tax Credit, military benefits,
36 scholarships, and other financial assistance that may be available
37 to students, as well as working with campus foundations to provide
38 financial assistance for students attending extension programs.
39   (j) (1) A community college district maintaining an extension
40 program offering credit courses under this section shall collect and

 1 keep records that measure student participation, student
 2 demographics, and student outcomes in a manner consistent with
 3 ~~measures~~ *records* collected by community college districts in
 4 regular credit programs supported through state apportionments,
 5 including an analysis of program effects, if any, on district
 6 workload and district financial status. A community college district
 7 shall submit this information to the Office of the Chancellor of the
 8 California Community Colleges by October 1 of each year. For
 9 community college districts operating more than one college, the
10 evaluation shall be for each participating college.
11   (2) The chancellor shall submit all of the information provided
12 by community college districts pursuant to paragraph (1) to the
13 Legislative Analyst's Office by November 1 of each year.
14   (3) No later than January 1, 2017, the Legislative Analyst shall
15 submit to the Legislature a written report that includes a summary
16 of the information provided pursuant to this paragraph, an
17 assessment of the extent to which community college extension
18 programs are operated in a manner consistent with legislative
19 intent, and suggestions to the Legislature for needed statutory
20 improvements.
21   (k) Courses offered by the extension program established and
22 maintained under this section may only be offered during summer
23 and winter intersessions.
24   *78231. This article shall remain in effect only until January 1,*
25 *2020, and as of that date is repealed, unless a later enacted statute,*
26 *that is enacted before January 1, 2020, deletes or extends that*
27 *date.*

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